

DECLARATION

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I hereby claim benefit under title 35, United States Code, 119(e) of any United States provisional applications listed below:

Provisional application No. 60/413,732 filed on September 26, 2002

U.S. Patent Application, Serial No. 10/xxx,xxx filed on September 26, 2003

I believe I am the first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **PROACTIVE BURST CONTENTION AVOIDANCE SCHEDULING ALGORITHMS FOR LABELLED OPTICAL BURST SWITCHING NETWORKS** the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information of which I am aware which material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56/

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign applications(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventors certificate having a filing date before that of the application on which this priority is claimed:

NONE

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States Application(s) listed below and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 11. I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sections 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

NONE

Please address all communications and direct all telephone calls regarding this application to: John Staley, 5802 Flintshire Lane, Dallas, TX 75252, USA, (972) 250-4210.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or a patent issued thereon.

Full name of first inventor: Jikai Li

First inventor's signature:



Citizenship:

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Full name of joint inventor:

Chunming Qiao

First inventor's signature:



Citizenship:

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PTO/SB/01 (05-03)

Approved for use through 04/30/2003, OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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| | | |
|---|--------------------------|--------------------------|
| DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) | Attorney Docket Number | LIQIao/Proactive EdgeApp |
| | First Named Inventor | Jikai Li |
| | COMPLETE IF KNOWN | |
| | Application Number | |
| | Filing Date | |
| <input checked="" type="checkbox"/> Declaration Submitted With Initial Filing OR <input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required) | Art Unit | |
| | Examiner Name | |

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Proactive Burst Contention Avoidance Scheduling Algorithms for Labelled Optical Burst Switching & Networks

(Title of the Invention)

the specification of which

☒ is attached hereto

OR

☐ was filed on (MM/DD/YYYY) [] as United States Application Number or PCT International

Application Number [] and was amended on (MM/DD/YYYY) [] (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? | |
|-------------------------------------|---------|----------------------------------|--------------------------|--------------------------|--------------------------|
| | | | | Yes | No |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

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This collection of information is required by 37 CFR 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.


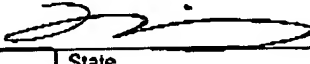
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DECLARATION — Utility or Design Patent Application

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|---|---------------------------|---|------------------------------|
| Direct all correspondence to: <input type="checkbox"/> Customer Number OR <input checked="" type="checkbox"/> Correspondence address below | | | |
| Name Li and Qiao c/o John Staley | | | |
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| Country United States | Telephone 972-250-4210 | Fax 972-732-1950 | |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. | | | |
| NAME OF SOLE OR FIRST INVENTOR: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) Jikai | | Family Name or Surname Li | |
| Inventor's Signature  | | Date 09/26/2003 | |
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| NAME OF SECOND INVENTOR: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) Chunming | | Family Name or Surname Qiao | |
| Inventor's Signature  | | Date 09/26/2003 | |
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| City Williamsville | State New York | ZIP | Country United States |
| <input type="checkbox"/> Additional inventors or a legal representative are being named on the supplemental sheet(s) PTO/SB/02A or 02LR attached hereto. | | | |